Application #: 10/047,411

Amendment to Office Action of 06.04.2003

Amendments to the Claims:

The listing of claims shall replace all prior versions and listings of the claims in the subject application.

Listing of the Claims:

1-15. (canceled)

16. (New) An non-brewed beverage comprising:

60% to 99.5% water by volume;

0.45% to 40% ethyl alcohol by volume;

3.3 grams to 50 grams per liter concentration of hydrolyzed protein;

10%-100% of the United States Food and Drug Administration's Daily Value

(DV) amount of vitamin C in a serving; and

wherein the beverage is one of substantially clear and substantially translucent.

17. (New) The non-brewed beverage of claim 16, further comprising vitamin B2, vitamin E, vitamin B1, vitamin B6, vitamin B12, and vitamin A each at amounts in a serving between about 10% and 100% of the United States Food and Drug Administration's Daily Value (DV).

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- 18. (New) The non-brewed beverage of claim 16, wherein the hydrolyzed protein comprises high branched chain amino acids.
- 19. (New) The non-brewed beverage of claim 16, wherein the hydrolyzed protein comprises one of whey or soy.
- 20. (New) The non-brewed beverage of claim 16, wherein the hydrolyzed protein comprises rice protein.
- 21. (New) The non-brewed beverage of claim 16, further comprising 0.01 mg to 1 grams per liter of vitamin E or selenium.
- 22. (New) The non-brewed beverage of claim 16, further comprising a concentration 0.01% to 0.5% by weight of one or more of iron, calcium and zinc.
- 23. (New) The non-brewed beverage of claim 16, further comprising peppermint flavoring and wherein the ethyl alcohol concentration is about 40%.
- 24. (New) The non-brewed beverage of claim 16, further comprising flavor extracts of one or more of the following: lemon; orange; grapefruit; lime; peach; guava; apple; cranberry;

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blueberry; grape; pineapple; cherry; strawberry; mango; papaya; peppermint; cinnamon; carrot; tomato; liquorice; coffee and coca.

- 25. (New) The non-brewed beverage of claim 16, further comprising one or more of the following: fructose; corn syrup; sucrose; honey; glucose; sucralose; aspartame and stevia.
- 26. (New) The non-brewed beverage of claim 16, further comprising supplemental caffine in concentrations of 0.01% to 0.5% by weight.
- 27. (New) The non-brewed beverage of claim 16, wherein the beverage is carbonated with CO2 gas.
- 28. (New) The non-brewed beverage of claim 16, further comprising one or more buffering agents from the group of: citric acid; tartaric acid; malic acid; succinic acid; ascorbic acid; phosphoric acid; potassium phosphate and sodium phosphate.
- 29. (New) A beverage produced by: mashing a pale malt grain; boiling the clarified malt extract to create a wort; clarifing and aerating the wort; fermenting and aging the wort to create a pale beer; mixing and dissolving whey protein, vitamin concentrate including

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vitamin C, ascorbic acid antioxidant, and buffering agents into filtered water; and blending the water mixture to the pale beer.

- 30. (New) The beverage of claim 29 having a protein content of at least 1.2 grams per 12 fluid ounces.
- 31. (New) The beverage of claim 29 having amounts of vitamin C and vitamin A of about at least 25% of the United States Food and Drug Administration's Daily Value (DV) in a serving.
- 32. (New) The beverage of claim 29 having an alcohol content of 3-5% by volume.
- 33. (New) A beverage comprising alcohol in a concentration of 0.45% to 40%, and hydrolyzed protein in a concentration of 3.3 to 50 grams per liter, wherein the beverage is one of substantially clear and substantially translucent.
- 34. (New) The beverage of claim 33, further comprising vitamin C in an amount of about 25% of the United States Food and Drug Administration's Daily Value (DV) in a serving.
- 35. (New) The beverage of claim 33, wherein the beverage is carbonated.